

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

BARBARA R. KERRIGAN
SUPERVISING PROBATION OFFICER

July 15, 2008

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Honorable Joseph A. Greenaway, Jr.
Martin Luther King Federal Building & U.S. Courthouse
Courtroom 4C, Chambers 4040
50 Walnut Street, Newark New Jersey 07102

RE: CHIAPPA, Thomas - Docket No. 99-00593-001
NOTICE OF OUTSTANDING RESTITUTION
AND EXPIRATION OF SUPERVISION

Dear Judge Greenaway:

On October 6, 1999, the above-referenced offender appeared before Your Honor and pled guilty to Count One of a five-count indictment, charging Bank Robbery, in violation of 18 U.S.C. §2113(a). On this same date, pursuant to the Federal Rules of Criminal Procedure, Rule 20, Chiappa also pled guilty to one count of Bank Robbery, Cr. No. 99-00459 (SD/NY). On April 26, 2000, Chiappa was sentenced in Your Court to 100 months incarceration, concurrent to Cr. No. 99-00459, to be followed by 3 years supervised release, concurrent to Cr. No. 99-00459. Special conditions imposed include the following: Restitution - \$15,000, payable in monthly installments of no less than \$20 per month; Special Assessment - \$250.00; Substance abuse testing/treatment at the discretion of the U.S. Probation Office; Submission of full financial disclosure; Mental health testing/treatment at the discretion of the U.S. Probation Office; No new credit without the approval of the U.S. Probation Office.

On July 20, 2005, Chiappa was released from custody and commenced serving his term of supervised release. Since the inception of supervision, Chiappa has been employed as a production manager for Zubak Productions, Inc., 115 W. 29th Street, New York, New York. He works full time earning approximately \$800 per month. Chiappa provided the undersigned with his 1040 U.S. Individual Income Tax Return, which reflects an adjusted gross income of \$10,197.00 for tax year 2007. Chiappa reports no tangible assets. A credit check through CBI/Equifax reveals no credit history, and no open lines of credit. His only reported debt is \$10,000, which he owes to the Internal Revenue Service (IRS) for back taxes. According to the IRS, Chiappa's status is currently listed as "uncollectable."

Chiappa's \$300 special assessment penalty was satisfied in full while serving his custodial term. Throughout the course of his term of supervised release, Chiappa appears to have made good faith efforts to pay more than the minimum restitution payment established by the Court at sentencing. Chiappa has paid a total of \$1,865.000 towards the restitution obligation he owes in this case. To date, his current restitution balance is \$13,135.00.

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Chiappa's failure to satisfy the Court ordered restitution obligation notwithstanding, he has complied with both the standard and special conditions of his supervised release. Due to the fact that his supervision is scheduled to expire on July 19, 2008, and he does not appear to have the financial wherewithal to satisfy the remaining portion of his restitution prior to the expiration of his supervision term, we are recommending that this offender's case terminate as scheduled.

Please be advised that the Financial Litigation Unit of the United States Attorney's Office was notified of Chiappa's outstanding restitution balance and imminent expiration of his term of supervision and they have confirmed that they will continue to pursue collection of his outstanding restitution balance after the expiration of his term of supervised release.

Please check the box below which most appropriately reflects the Court's position in this matter. Please contact the undersigned officer at (609) 867-7116, if you have any questions or need additional information.

Respectfully Submitted,

Justine Peterson
Justine Peterson
U.S. Probation Officer

Supervision to expire on July 19, 2008. The Financial Litigation Unit of the U.S. Attorney's Office to pursue collection of any unpaid balance.

Submit a Request for Modifying the Conditions or Term of Supervision

Submit a Request for Warrant or Summons

Other

J.A.P.
Signature of Judicial Officer

7-18-08
Date